

1 BRUCE L. SIMON (Bar No. 96241)
bsimon@pswplaw.com

2 **PEARSON, SIMON, WARSHAW & PENNY, LLP**

44 Montgomery Street, Suite 2450

3 San Francisco, California 94104

Telephone: (415) 433-9000

4 Facsimile: (415) 433-9008

5 RICHARD M. HEIMANN (Bar No. 63607)
rheimann@lchb.com

6 **LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP**

275 Battery Street, 30th Floor

7 San Francisco, California 94111

Telephone: (415) 956-1000

8 Facsimile: (415) 956-1008

9 *Co-Lead Counsel for the Direct Purchaser Plaintiffs*

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

14 IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. MDL 3:07-md-1827 SI

15 **CLASS ACTION**

16 This Document Relates to:

17 ALL DIRECT PURCHASER ACTIONS

**DIRECT PURCHASER CLASS
PLAINTIFFS' ADMINISTRATIVE
MOTION FOR ORDER APPROVING
PAYMENT TO CLAIMS
ADMINISTRATOR**

19 Honorable Susan Illston

Pursuant to Local Rule 7-11, Direct Purchaser Plaintiffs ("DPPs") bring this administrative motion for an order approving payment to the Claims Administrator, RUST Consulting ("RUST"), for notice and claims administration services, as detailed below.

DPPs have previously reached settlements totaling \$405,022,242 (the "Settlement Fund") with the Chimei, Chunghwa, Epson, Hannstar, Hitachi, LG Display, Mitsui, Samsung, Sanyo, and Sharp Defendants (the "Settling Defendants"). Those settlements were finally approved by the Court on February 18, 2011 (ECF No. 2475) and December 27, 2011. (ECF No. 4438.) Declaration of Robert G. Retana In Support of Administrative Motion for Order Approving Payment to Claims Administrator ("Retana Decl."), filed herewith, ¶ 3. Since then, *inter alia*, DPPs have entered into settlements with the remaining defendants, AUO and Toshiba. Those settlements were preliminarily approved on August 10, 2012 (ECF No. 6437) and October 15, 2012 (ECF No. 6988), respectively.¹

Each of the settlements agreement that have been finally approved provide that certain maximum amounts from the settlements may be used for the cost of class notice and claims administration. Retana Decl., ¶ 4. Those amounts are as follows:

<u>Defendant</u>	<u>Amount</u>
ChiMei:	\$400,000
Chunghwa:	\$400,000
Epson:	\$400,000
Hannstar:	\$200,000
Hitachi:	\$400,000
LG Display:	\$400,000
Mitsui:	\$100,000
Samsung:	\$400,000
Sanyo:	\$100,000
Sharp:	\$400,000
Total:	\$3,200,000

¹ DPPs make this request via an administrative motion, rather than by stipulation, because the Settling Defendants have no interest in the Settlement Fund at this point. Having paid their respective settlement amounts into the Settlement Fund, and final judgment having been entered, Settling Defendants relinquished any responsibility for the administration of those funds. However, the Court retains jurisdiction with respect to disposition of the Settlement Fund. Retana Decl., ¶ 7.

1 *Id.*

2 To date, \$745,981.47 has been paid to RUST for notice and claims administration services.
3 That amount was paid from the Settlement Fund. Retana Decl., ¶ 5. There are currently
4 outstanding charges of \$232,477.35 for services provided from February of 2012 through August
5 of 2012. *Id.*, Exh. A. There is more than sufficient money left to cover the outstanding charges
6 from the above-listed amounts allocated for notice and administration from the settlement
7 agreements. *Id.*, ¶ 6.

8 DPPs therefore respectfully request that the Court issue an order authorizing disbursement
9 of \$232,477.35 to RUST from the Settlement Fund.

10

11 DATED: October 22, 2012

PEARSON, SIMON, WARSHAW & PENNY, LLP
LIEFF, CABRASER, HEIMANN & BERNSTEIN,
LLP

12

13

14

By: /s/ Robert G. Retana

15

Robert G. Retana

Co-Lead Counsel for Direct Purchaser Class Plaintiffs

16

17

18

19

20

21

22

23

24

25

26

27

28